ENVIRONMENTAL ASSESSMENT, FONSI AND DECISION RECORD

Bureau of Land Management
Bishop Field Office
351 Pacu Lane, Suite 100
Bishop, CA 93514

EA Number:	CA-170-03-43
Lease/Serial/Case File No.:	CACA 45701
Proposed Action Title/Type:	Cinnabar Canyon Road Improvement
Location of Proposed Action:	MDM, T. 4 N., R. 25 E., Section 30, E1/2, 31, NW1/4.
Applicant:	F. M. Fulstone, Inc**.**

Plan Conformance:

The proposed action is subject to the Bishop Resource Management Plan, approved March 25, 1993. The proposed action has been reviewed and is in conformance with the plan.

Need for Proposed Action:

F.M. Fulstone, Inc. submitted a proposal to BLM requesting a Temporary Use Permit (TUP) to conduct maintenance on a portion of Cinnabar Canyon Road that leads to Fulstone's private land in the Bodie Hills. The reason for the road improvement is to haul cattle in and haul cattle off of F.M. Fulstone, Inc. private land by means of semi truck. This road improvement is considered to be an urgent need by the Fulstones.

A long-standing livestock permittee, Fulstone has requested to improve a segment of Cinnabar Canyon Road about 1.67 miles long and located in T. 4 N., R. 25 E., Section 31 & 30 (Map 1). The Fulstone's private land is located in Section 19.

The Cinnabar Canyon road begins at State Highway 270 on private land owned by the Arrache family. The remainder of the road leading to the Fulstone's private land is administered by the BLM. This road is a designated "cherry stemmed" road that is surrounded by the Bodie Mountain WSA (CA-010-099). Map 1 shows the WSA boundaries around and along the road. The road and some adjoining public land to the east was excluded from the WSA because of pre-FLPMA mining disturbances and its need for access and maintenance to service the old mine operations and ongoing livestock operations.

Fulstone seeks to improve the road in order to transport cattle into and out of their private land by semi truck. In the past, Fulstone would unload approximately 125 head of cattle in early

spring on private land along State Highway 270 and Cinnabar Canyon Road. Each year they would construct a temporary corral to hold cattle before trailing them up the Cinnabar Canyon Road to their private land. At the end of the grazing season in the fall, the cattle were trailed westerly cross-country through the Bodie Hills and across U.S. Highway 395 to winter pastures. The permittee would coordinate with California Highway Patrol to close the highway temporarily during the cattle crossing. The development of new housing tracts along the west edge of the Bodie Hills has blocked access making it impossible to use this traditional means of cattle movement. The Fulstone's would like this project completed by late October or early November of 2003 so that the road can be used next summer for cattle trucking.

The proposed road improvement to accommodate a semi truck and trailer would serve additional purposes. It would eliminate spring cattle trailing along an ephemeral creek and unique peat bog which adjoin Cinnabar Canyon Road; it would reduce dependence on an adjacent private landowner; and it would eliminate a traffic hazard along Highway 395 during fall cattle trailing operations.

A semi truck requires an absolute minimum road width of approximately 8 feet with the rear cattle trailer needing an additional 3-4 feet in width. Practically however, a semi truck needs more than 8 feet in road width to avoid the possibility of driving off road onto unleveled ground. Additionally, the weight of a cattle trailer tends to be top heavy and a cambered road could cause the truck to topple over. This safety and environmental aspect precludes consideration of driving on vegetation (a milder physical impact) along the road's uneven and irregular edge.

Description of Proposed Action:

The proposed action would be the issuance of a 2 month temporary use permit (TUP) for the grading, widening, and filling of the Cinnabar Canyon dirt road. Straight sections of the road which are currently 10 feet would be widened 12 feet maximum. Some sections of the road would not need improvement due to the good quality of the road condition. Five curves along the road would be widened from their approximate width of 13 feet to 15 feet maximum. Additionally, the proponent would level uneven portions of the road with fill material or level blading, and remove any protruding surface rocks. No road alteration would occur beyond the west edge of the road (which serves as the WSA boundary along the entire length of public land) and along the portion of the road's east edge that borders the WSA. In summary, no road widening or activity would occur in the WSA itself.

A bulldozer would be used to widen straight sections of the road to a maximum of 12 ft. wide. Five curves in the road would be widened to a maximum of 15 feet to compensate for the trailer which will track inward as the frontward semi truck completes the turn. Any residual soil and vegetative debris from the widening cut would be left as berms to armor the road edge or used to level the road. The road would need to be as smooth and level as possible.

In areas of the road where water tends to collect (i.e. dips and trenches) and where the road crosses water paths, an angular rock fill material would be used. An angular rock source located in a Caltrans right-of-way located less then a ¼ mile from the Cinnabar Canyon road would be

used. This fill material would be removed by backhoe and hauled with a 5 yd dump truck to various sites along the dirt road and spread. The angular rock fill would raise the height of the road, create a smooth and level surface, and harden the road to expand its durability. Larger rocks would be placed in a few water flow paths on either the up slope or down slope side of the road in order to slow runoff in a storm event. The camber of the road would be corrected by placement of fill or level blading. In a few places, rolling dips would be constructed to allow water to flow across the road to avoid pooling within the roadway and erosion of adjacent slopes. A rolling dip is constructed by using the blade to create a low spot in the road to allow water to flow across the road from the uphill side. A few turnouts, at a 30 degree angle from the road, may be constructed in the road to allow for drainage off the road. The turnouts will not go beyond the existing disturbance of the road. Ditches, in the downhill side of the road, may also be created to collect runoff and direct the runoff into a turnout. Protruding surface rocks in the road would be removed by a backhoe. These rocks would be used to armor adjoining sensitive areas or placed randomly to blend in with the surrounding environment.

The road maintenance project is designed to keep vehicles on the existing road, i.e., harden the road edge with boulders to protect meadows; reduce cross-country travel; reduce rill erosion; and protect adjoining resource values from indiscriminate vehicle impacts.

The project would be completed between early November and early December of 2003 (weather permitting) and would take a week to complete. All road work would be conducted when the road base is at a suitable moisture level (moist 1-2 inches below the surface) for proper road compaction. This may require the use of a water truck to achieve the appropriate soil moisture for compaction during construction. This will help with durability of the road. However, the road will only be driven by the semi trucks when the road is dry to avoid road degradation and increased sedimentation.

A BLM monitor would oversee the project and be present during the heavy equipment operator orientation. The monitor would have full authority to cease the operations due to unforeseen circumstances which arise or due to violation of authorization stipulations.

The proponent would also conduct periodic maintenance, approximately every other year, to maintain the road's capability to support their truck hauling operations. Future maintenance is expected to remain within the scope of this environmental assessment's proposal and, in many cases, likely to be less. In cases where unforeseen circumstances dictate future maintenance exceeds the scope of this proposal, a supplemental environmental assessment would be prepared with public review. In any event, the proponent would be required to obtain authorization from the BLM for each future maintenance action on Cinnabar Canyon Road; or a road maintenance agreement may be developed, containing stipulations derived from the environmental assessment.

Environmental Impacts:

1. **<u>Air Quality</u>**

There will be no impacts to air quality. The proposed action is not within the Mono Basin / Owens Valley federal air quality nonattainment area. The action would not result in the emission of PM_{10}.

During road construction, a water truck may be used to water down the surface of the road. This water can be used to control dust emissions as well as allow for compaction of the road base.

2. Area of Critical Environmental Concern (ACEC)

The proposed action does not occur within an ACEC.

3. Cultural Resources

The proposed 1.7 linear mile project area along the Cinnabar Canyon Road and a 5 meter buffer were surveyed on 5-16-03, by the Bishop Field Office archaeologist, using linear transects following the existing road corridor. A total area of 10 acres was inventoried and visibility was very good. The investigations are documented in Cultural Resources Inventory Report: CA-170-03-15.

Through record searches and field investigations, two sites were determined to occur near or within the area of potential effect (APE) of the proposed project area, CA-MNO-1403 and CA-MNO-1553. CA-MNO-1403 is a very sparse lithic scatter located outside of the projects APE and will not be affected by the proposed project and no further work is required. CA-MNO-1553 is located on the northeastern end of the project/road corridor and the road crosses through the northern edge of the site. While from the surface archaeological remains this site does not appear to be eligible for listing on the National Register of Historic Places (NRHP), subsurface deposits could be extant due to the soil type and the proximity to a spring.

CA-MNO-1403: Recorded originally by Hall (1980), this site is described as a small size, low density lithic scatter. Upon revisiting the site only five flakes could be identified and such a low density of artifacts would generally be recorded as an isolated find. The site is greater than 20 feet from the road and will not be impacted by the proposed project. Based on the surface constituents the site does not meet the requisite standards for listing on the NRHP.

CA-MNO-1553: This site was originally recorded by Kobori et al. (1980). It could not be relocated as plotted, but a site matching its description was found to be located 400 meters to the northwest. The site as rerecorded and within the APE consists of a very sparse lithic scatter with 2 flakes per m^2 in the densest concentrations and less than .01 per m^2 for the site area. Two ryholitic milling slabs were also recorded. The flaked stone assemblage includes 39 obsidian flakes, predominantly late stage and biface thinning, and one stage 3 biface end fragment. The site surface has been impacted by cattle trailing through the area and casual camping. Based on the surface assemblage the site does not appear to be eligible for listing

on the NRHP, but the site should be tested, if it can not be avoided by the proposed project, to determine if subsurface deposits exist before rendering a final determination. The following is considered potential mitigation to eliminate any cultural impacts.

1) Avoid any new disturbance at site CA-MNO-1553 by not allowing any road improvement activity in the site area, or fill this area rather than blade for a distance of 150'.

2) Should the project require road improvement within CA-MNO-1553 the site should be subjected to Phase II subsurface test evaluations to determine the sites eligibility for listing on the NRHP prior to project implementation.

3) Should any artifactual or bone material be discovered during project implementation all work will halt in the area of discovery and the Bishop Field Manager and archaeologist will be notified and approval given prior to resumption of work in the area.

4. Farmlands, Prime or Unique

The proposed action would have no affect on Farmlands because none are present.

5. Flood plains

The proposed action would have no affect on flood plains because there are none present.

6. Invasive, Non-native Species

During project surveys less than 10% cover of cheat grass (*Bromus tectorum)* was found at the project site. Impacts of the proposed project may include increased dispersal of cheat grass seed as well as dispersal of other non-native weed seed from outside the project area if appropriate equipment cleaning standards are not adhered to. In addition, newly bladed areas will be more susceptible to weed invasion due to changes in soil micro-topographic features. The road fill material that would be used for this project has been checked for invasive weeds and appears to be weed-free.

7. Minerals

This proposal would not adversely affect any claim holders or mining interests within Cinnabar Canyon.

8. Soil

The soil information was gathered from the Order 3 Soil Survey of the Bodie-Coleville Planning Units. Two soil types exist within the roadway. The first soil type is a loamy skeletal, mixed frigid Lithic Argixerolls with a 2 to 15 percent slope. This soil type is nearly level to gently sloping cool soils that are shallow to deep, undrained to well-drained and have a large amount of course fragments. They are derived from andesitic of rhyolitic rock.

The second soil type is a Cumulic Haploxerolls with a 0 to 8 percent slope. This soil type is dominantly moderately sloping to steeply sloping, well-drained cool and cold soils of the Bodie Hills; many are strong and cobbley. These soils tend to be saturated during some portion of late winter or early spring.

There is potential water erosion mainly along the stream bank and in the stream channel bottom. The Cumulic Haploxerolls are highly susceptible to gullying. Rill formation has been noted in certain areas along the road.

The proposed action would result in minimal impacts to the soil surface. The proposed action is designed to shed water off the road surface as fast as possible and lower water velocity in order to maintain road surface stability and reduce erosion.

Bulldozing of this road has occurred multiple times during pre-FLPMA mining and grazing operations. The last extensive blading operation took place in 1988 for mineral exploration.

Reference: Benton-Owens Valley Planning Unit, Draft Environmental Impact Statement, January 1981.

9. Waste, Hazardous or Solid

The proposed action would have no affect on Hazardous or Solid Waste as there are no sites occurring in the area.

No above ground gasoline, diesel, or oil tanks would be brought on to the site during road construction. The proponent would be responsible for clean up and removal of any oil, gasoline, or other fuels spilled during the proposed road widening.

10. Water Quality, Surface and Ground

The proposed action would have no affect on ground water quality.

The proposed action would have a slight positive impact on surface water quality.
It is expected that sedimentation of the ephemeral creek channel would be lower after implementation of the proposed action. The proposed action is designed to shed water off the road surface as fast as possible and lower water velocity in order to maintain road surface stability and reduce erosion.

11. Wetlands/Riparian Zones

Peat Bog

The peat bog is just outside the project area and would not incur any direct impact from road blading and widening, it is still in close enough proximity, < 0.20 miles from the Bodie paved road, to warrant consideration of potential "offsite" adverse and beneficial impacts.

The Bodie Hills peat bog was discovered by Messick in 1981 during field work for his Master's Thesis on the Flora of the Bodie Hills. The bog is located in Cinnabar Canyon which is in proximity to several hydrothermally active areas. What distinguishes this site from other "wet meadow" sites in the Bodie Hills are two unusual plants; *Sphagnum fimbriatum* or peat moss and *Kalmia plolifolia* ssp. *microphylla* or bog rosemary, and an unusual soil family called Sphagnofibrists. Within this soil family are 10 subgroups, but only four of these; Typic Cryic, Typic Frigid, Hemic and Terric Sphagnofibrists occur in the United States, e.g. Alaska and Minnesota, with other very localized occurrences in other states including California. The remaining subgroups can be found in Europe which contains a large portion of peat bogs.

Geologic and Climatic Origin of the Cinnabar Canyon Peat Bog

The bog is situated in the Tertiary Willow Springs formation which consists of flows and intrusive bodies of dacite, rhyolite, rhyodacite and pyroclastic deposits. During the Pleistocene alternating introductions and extirpations of plant taxa with various geographic affinities occurred. The existence of both the peat moss and bog rosemary represent such relictual compositional shifts. Some plant species groups migrated along well defined paths into or near the Bodie Hills and it is likely that the Sierra Nevada served as the principal high elevation migration route.

No grading or widening of the road would occur adjacent to any Wetland/Riparian zones. Although the peat bog is 15' from a portion of the road, offsite impacts to Wetlands/Riparian zones may include increased sedimentation into the peat bog due to slight increases in road compaction levels which could increase sedimentation flow off the road. We believe the nature of the road would not encourage increased vehicle use because of the location (hidden view from the Bodie Road) and the lack of signing. Beneficial impacts to the wetland/riparian zones would include reduced trailing impacts from cattle directly adjacent to the peat bog as well as the benefits of adjacent road armoring which would protect meadow communities from indiscriminate vehicle use.

12. Wild and Scenic Rivers

No Wild and Scenic Rivers or components thereof are located in the proposed project area.

13. Wilderness, Wilderness Study Area (WSA)

The proposed action is not within a Wilderness Area nor a WSA. However, the proposed action would occur on a designated "cherry stemmed" road that is surrounded by the Bodie Mountain Wilderness Study Area (WSA CA-010-099). Map 1 shows the WSA boundaries around and along the road.

A description of the Bodie Mountain WSA's wilderness character is located in the Final Intensive Wilderness Inventory Handbook (Dec. 1979). The WSA portion that lies along the outside edge of the Cinnabar Canyon Road is occupied by sagebrush plant communities

and associated high desert species.

Besides describing wilderness values which qualified the area for WSA designation, the Handbook identifies the Cinnabar Canyon Road and adjoining area as a WSA boundary that is located within the WSA. Under the "Natural Condition" section of the Handbook, it states that the WSA boundary was adjusted to exclude ". . . man-made impacts that impair wilderness values. The impacts that were found consisted of . . . mining activity and an associated road in Cinnabar Canyon. A road in support of livestock operations branches northward from the Cinnabar Canyon Road and leads to the spring sites in Big Alkali." The resultant field maps produced from the inventory findings "cherry stemmed" the Cinnabar Canyon Road area from the WSA. Concurrently, the Cinnabar Canyon Road also provided access to private land within the WSA including the Fulstone property in Sec. 19, T. 4 N., R. 26 E., MDM.

Since no activity is proposed on portions of the WSA that adjoin the Cinnabar Canyon Road, direct impacts to wilderness values would be nonexistent. There would be temporary impacts of road construction activity to solitude within the WSA around the cherry stemmed road. These impacts would last only a week or so when the project is completed and the road equipment is relocated elsewhere.

Additionally, secondary impacts from the proposal include permanently eliminating cross-country cattle trailing in the fall across the west portion of the WSA. This would reduce concentrated vegetation trampling and soils compaction in the WSA from Fulstone's private land to U.S. Highway 395. Since cattle would not be trailed during the spring season, the unique peat bog and adjoining meadow would be less vulnerable to physical impacts from cattle that would stray into these areas during the annual spring drive. The proponent's support to use plucked and nearby boulders to armor the road along the adjacent meadow would reduce errant vehicle use in this wetland habitat as well.

It is anticipated that biannual maintenance would continue to maintain wilderness values as described above.

The proposed road improvement, in magnitude and degree, conforms with road maintenance activities conducted over the last thirty years. The common similarity of these road improvements and its impacts disqualified this corridor from WSA designation during the intensive inventory in the late 1970's. The Cinnabar Canyon Road met the wilderness inventory road definition identified in the Wilderness Inventory Handbook of 1978. Therefore it was excluded from further wilderness review. Since there would be virtually no impact to wilderness values, the addition of this proposal, adjoining the WSA, would not produce an aggregate negative effect upon the area's wilderness values and characteristics that would constrain Congress's decision to designate the area as wilderness.

14. <u>Wildlife</u>

Greater Sage-Grouse, a BLM Sensitive Species, may use the project area; however, most of

the course of the road travels through pinyon/juniper woodland which is generally poor sage grouse habitat. No other listed or sensitive wildlife species or their habitats are known in the area.

The road currently travels along a narrow bench between a drainage with intermittent flowing water, and a rocky hillside which is steeply sloped in several places. The proposed action is expected to cause very minor impacts to wildlife habitat and minor displacement of birds and mammals due to noise and disturbance during construction. Additional displacement of birds and mammals would occur with the passing in and out of the area by the livestock transport vehicle. These brief seasonal disturbances should not cause a substantive decrease of wildlife presence and use in Cinnabar drainage.

15. Vegetation

Upland vegetation within the proposed project area consists of a mosaic of mountain sagebrush (*Artemisia tridentata* ssp. *vaseyana*)/bitterbrush (*Purshia tridentata)* and low sage (*Artemisia arbuscula*) communities adjacent to a dry meadow dominated by Douglas sedge (*Carex douglasii*). Under story grasses and forbs consist of: Indian rice grass (*Achnatherum hymenoides),* Western needlegrass (*Achnatherum occidentalis)*, June grass (*Koleria micrantha),* hawksbeard (*Crepis occidentalis)*, Mono clover (*Trifolium monoense), Eriogonum caespitosum,* and *Phlox stansburyi*. Surveys conducted for rare plants occurred on May 20th, 2003. Although suitable habitat exists for the Bodie Hills draba (*Cusickiella quadricostata)* no rare species were found. The Mono clover (*Trifolium monoense*) stands adjacent to the road within the low sage community are somewhat unusual in that this species has a sporadic and disjunct distribution in the Bodie Hills, however this species is currently not considered rare by the California Native Plant Society (CNPS 2001).

Impacts to upland vegetation would include removal of individual shrubs, grasses, and forbs directly adjacent to the road. Slight soil erosion could occur within the adjacent vegetation stands if the road blading is too abrupt and if there are insufficient road buffers, e.g. vegetated berms. The loss of individual shrubs and grasses would not affect the overall ecological function of these plant communities since the vegetation adjacent to the project area exhibits good cover and vigor and would therefore provide a long-term regenerative capacity.

There is a positive impact to upland vegetation as a whole from the proposed action. The reduced trailing of cattle would improve vegetation within the trailing corridor by reducing vegetation trampling and soil compaction.

16. Visual resources

The area is classified as a VRM Class II and III area. The objective of a Class II area is to retain the existing landscape character, while Class III is to partially retain the characteristic landscape. The key observation point where most activities would be seen is State Highway 270. The proposed road improvement would be no more evident than its current

appearance, meeting both VRM class objectives. The physical nature of the proposal and its magnitude would result in virtually no negative impact to visual resources. Areas impacted by indiscrimate parking/camping which adjoin the road would be blocked off with boulders. This would benefit visual resources by reducing scarring that has occurred in the past.

17. Environmental Justice

There would be no disproportionate impacts to low income or minority groups, per Executive Order 12898 (2/11/94).

18. Recreation

Indiscriminate vehicle use has occurred in adjoining meadows by public land visitors. Rill formation is present which is caused by natural and human induced erosion. Camping occurs along the road in certain areas. The proponent has agreed to design their road maintenance program to keep vehicles on the existing road, i.e., harden the road edge with boulders to protect meadows; reduce cross-country travel; reduce rill erosion; and protect adjoining resource values from indiscriminate vehicle impacts.

19. Native American Religious Concerns

The proposed action does not close or reduce access for the public or native Americans. The native American community would be contacted if cultural resources located near the proposed action area could not be avoided or protected during road work.

Description of Mitigation Measures:

1) Avoid any new disturbance at site CA-MNO-1553 by not allowing any road improvement activity in the site area, or fill this area rather than blade for a distance of 150'.

2) Should the project require road improvement within CA-MNO-1553 the site should be subjected to Phase II subsurface test evaluations to determine the sites eligibility for listing on the NRHP prior to project implementation.

3) Should any artifactual or bone material be discovered during project implementation all work will halt in the area of discovery and the Bishop Field Manager and archaeologist will be notified and approval given prior to resumption of work in the area.

4) All road improvement equipment will be weed free prior to site disturbance by cleaning with a power sprayer.

5) Road maintenance will not occur when soils are **excessively** wet and are more susceptible to damage. Ensure that the use of fill exceeds the use of blading disturbance. Authorization from the BLM is required prior to any road maintenance activities.

6) No fuel or oil storage tanks will be allowed on site.

Residual Impacts:

As a result of these mitigation measures and project design there will be no residual impacts for noxious weed proliferation and sedimentation. There will be an unavoidable short-term impact of vegetation loss as a result of the road work It is expected that within 1 year the vegetation within the road center crown and along the berms will begin regrowth. In addition, restricting future road maintenance to when soils are not excessively wet would result in a more durable road with less erosion.

Cumulative Impacts:

The proposed action is not expected to contribute any impacts cumulatively concerning the effected resources identified in this environmental assessment. By design, monitoring, and mitigation the project can be implemented without cumulative impacts.

Implementation Monitoring:

The BLM will monitor all stages of work for compliance to the TUP.

Public Comments

The Bishop Field Office mailed out over 100 copies of a Notification of Proposed Action (NOPA) dated June 13, 2003. The Bishop Field Office received seven letters in response to the NOPA. The NOPA was also placed on the BLM Bishop Field Office web page to solicit comments through electronic means.

Five letters, one of which was received electronically, were supportive/in favor of the Temporary Use Permit for the road project.

One letter wanted the BLM to consider all reasonable alternatives to the gathering of the cattle. Scoping sessions were used to discuss various methods of satisfying the proponent's need and implementing the project. It was determined that the proposed action was the least impacting. This letter also noted a concern regarding increased use on the road because of its improvement. As a result of this comment, this was subsequently addressed in the Environmental Assessment.

Finally, one letter was opposed to any actions that degrade WSAs. The BLM addressed this concern in a subsequent mid-September field meeting and determined that it would be possible to improve the road with no activity occurring in the WSA. Therefore, the Environmental Assessment concluded that "direct impacts to wilderness values would be nonexistent." Furthermore, the letter addresses a sedimentation concern. During the mid-September field meeting, the BLM had a Civil Engineering Technician assess the proposed road improvement at the location and included recommendations which are included in Appendix 1. The Bishop Field

Office plans to have a monitor present to oversee the project and follow these guidelines to avoid any sedimentation problems.

Persons/Agencies Consulted:

Mike Davis	Civil Eng. Tech., USDI/BLM Carson City Field Office (Appendix 1)
Richard Fulstone	Livestock operator and proponent

Coordinated Resource Management Technical Review Team (See Appendix 2).
A field exam consisting of technical review team (TRT) members was conducted at Cinnabar Canyon Road on May 7th 2003. The purpose of the field exam was to discuss and develop the aforementioned proposal in light of the area's resource values. Eight persons were present during the field examination. Attendees included BLM representatives Joe Pollini (Wilderness Specialist) and Jeff Starosta (Range Conservationist), Fulstone Inc. representatives Richard and Georgia Fulstone, Jan Huggins (a private land owner), Paul McFarland (Friends of the Inyo) and two representatives from the Natural Resources Conservation Service.

As a result of public concerns and comments, a follow-up field meeting was held on September 11, 2003 at Cinnabar Canyon to reevaluate proposed action modifications to meet their concerns. Attendees at the meeting included BLM representatives Larry Primosch (Realty Specialist), Joy Fatooh (Wildlife Biologist), Jeff Starosta (Range Conservationist), Mike Davis (Civil Engineer Tech.), and Fulstone Inc. representative Richard Fulstone. At the meeting, it was determined that the project could be redesigned to exclude any surface disturbance in the WSA. Furthermore, the reshaping and maintenance of the road would be designed to lessen impacts and decrease sedimentation (See Appendix 1 for background).

Preparer(s):

Joy Fatooh	BLM Wildlife Biologist
Larry Primosch	BLM Realty Specialist
Joe Pollini	BLM Wilderness and Recreation Specialist
Anne Halford	BLM Botanist
Kirk Halford	BLM Archeologist
Jeff Starosta	BLM Range Conservationist
Terry Russi	BLM Wildlife Supervisory Biologist

Prepared by: Jeff Starosta

Date: November 6, 2003

Reviewed By:_____**Date:**_____
Environmental Coordinator

FINDING OF NO SIGNIFICANT IMPACT/DECISION RECORD

I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined that the proposed action with the mitigation measures described below will not have any significant impacts on the human environment and that an EIS is not required.

I have determined that the proposed project is in conformance with the Bishop Resource Management Plan, which was approved March 25, 1993. This plan has been reviewed, and the proposed action conforms with the land use plan terms and conditions as required by 43 CFR 1610.5.

It is my decision to issue a 2 month temporary use permit to F. M. Fulstone, Inc. for the implemention of the Cinnabar Canyon road maintenance project as described in the proposed action and with the mitigation measures identified below. The project design with the mitigation will eliminate potential impacts to the local environment. The project will not impact the adjacent WSA. I have determined that the proposed action is a minimum impact project.

Concerning cultural resource mitigation as described in the cultural section of this document, I will use a portion of potential mitigation #1 and will not use mitigation # 2. I have determined to protect the identified cultural site located within the proposed action area by placing fill material over the site (armoring the location), thus, eliminating any negative effect to the site. As a result I have determined that there will be no effect to cultural resource site CA-MNO-1553 as a result of the proposed undertaking.

It is in the public's interest to allow Fulstone to carry out maintenance on the dirt road in support of his livestock operation. By improving the road, Mr. Fulstone will be able to truck his cattle from the private property rather than trailing the cattle to another grazing area. The reduction of trailing will be both a cost effective measure for Mr. Fulstone's livestock operation and will reduce impacts to the environment in the trailing corridor and improve safety both to the highway public and the cattle.

Mitigation Measures/Remarks:

1) Avoid any new disturbance at site CA-MNO-1553 by covering this area with fill for a distance of 150' rather than blading.

2) Should any artifactual or bone material be discovered during project implementation all work will halt in the area of discovery and the Bishop Field Manager and archaeologist will be notified and approval given prior to resumption of work in the area.

3) All road improvement equipment will be weed free prior to site disturbance by cleaning with a power sprayer.

4) Road maintenance will not occur when soils are **excessively** wet and are more susceptible to damage. Ensure that the use of fill exceeds the use of blading disturbance. Authorization from the BLM is required prior to any road maintenance activities.

5) No fuel or oil storage tanks will be allowed on site.

Authorized Official: _____
Bill Dunkelberger, Field Manager

Date: _____

Appendix 2

The Bodie Hills Coordinated Resource Management (CRM) Process History:

The Bodie Hills CRM process is designed to involve any interested citizens, resource management agencies, user/interest groups, and/or other constituencies to collaborate on issues pertaining to natural resource management in the Bodie Hills. It is intended to operate as a collaborative planning process and make consensus-based decisions/recommendations in consideration of the Bodie Hills' overall ecosystem.

The process participants may be involved in such things (singly or in the aggregate) as they may determine as:

1. Make technical recommendations, depending upon the knowledge/experience of members, for on-the ground treatments/techniques; or

2. Provide input to management policy or decision-making (while conforming with existing laws and regulations); or

3. Promote consultation, coordination, communication in the interest of conservation, making recommendations to guide on-the ground resource management.

The CRM process in California has existed for over 20 years and has wide support/endorsement from over two dozen state & federal agencies, and interest groups.